

Regular Session, 2009

SENATE BILL NO. 83

BY SENATOR SHAW

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SHERIFFS. Allows sheriffs and ex officio tax collectors of the various parishes to accept electronic checks for any payment legally collected and authorizes the collection of a fee for processing electronic check payments. (8/15/09)

1 AN ACT

2 To amend and reenact R.S. 33:1423.1(A), relative to collection and disposition of bonds,  
3 fines, fees, licenses, and taxes; to provide for payment by electronic check; to  
4 authorize the collection of a fee for electronic check processing; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:1423.1(A) is hereby amended and reenacted to read as follows:

8 §1423.1. Collection and disposition of bonds, fines, fees, licenses, taxes; acceptance  
9 of credit card or electronic check payment; expenses of collection  
10 borne pro rata by affected tax recipient bodies

11 A. Sheriffs and ex officio tax collectors of the various parishes, including the  
12 director of finance for the city of New Orleans may accept payment by credit card  
13 or electronic check for all traffic fines, criminal fines, occupational license fees, ad  
14 valorem taxes, bonds, and any other payment legally collected by a sheriff or tax  
15 collector or the director of finance for the city of New Orleans. The sheriff or tax  
16 collector shall collect a fee for processing the payments in an amount that is equal  
17 to the expense incurred by the sheriff or tax collector or the director of finance for

1 the city of New Orleans in processing the payment by credit card **or electronic**  
2 **check**, not to exceed five percent of the amount to be collected plus any penalties or  
3 interest being paid. The processing fee shall be in addition to the amount of the fine,  
4 bond, tax, license fee, or other payment to be collected.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Michelle Ducharme.

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#### DIGEST

Shaw (SB 83)

Present law provides that sheriffs and ex officio tax collectors of the various parishes may accept payment by credit card for all traffic fines, criminal fines, occupational license fees, ad valorem taxes, bonds, and any other payment legally collected by a sheriff or tax collector.

Proposed law retains present law and adds electronic check as an acceptable means of payment.

Present law further provides that sheriffs or tax collectors shall collect a fee for processing the payments in an amount that is equal to the expense incurred by the sheriff or tax collector in processing the payment by credit card, not to exceed five percent of the amount to be collected plus any penalties or interest being paid.

Proposed law retains present law and adds that a similar processing fee shall be added for electronic checks.

Effective August 15, 2009.

(Amends R.S. 33:1423.1(A))